

informs the agency administering the other program whether the receiving agency has denied the registration; and

(ii) each of such agencies ensures that registrations are entered into the national database of registered persons that is maintained by each such agency.

(3) Process of identification

With respect to the process of identification under the section 351A program and the section 212 program for names and other identifying information submitted to the Attorney General (relating to certain categories of individuals and entities), the memorandum of understanding under paragraph (1) shall provide for the development and implementation of the following:

(A) A procedure through which a person who is required to submit information pursuant to such process makes (in addition to the submission to the Attorney General) a submission, at the option of the person, to either the agency administering the section 351A program or the agency administering the section 212 program, but not both, which submission satisfies the requirement of submission for both of such programs.

(B) A procedure for the sharing by both of such agencies of information received from the Attorney General by one of such agencies pursuant to the submission under subparagraph (A).

(C) A procedure through which the agencies administering such programs concur in determinations that access to overlap agents and toxins will be granted.

(4) Coordination of inspections and enforcement

The memorandum of understanding under paragraph (1) shall provide for the development and implementation of procedures under which Federal personnel under the section 351A program and the section 212 program may share responsibilities for inspections and enforcement activities under such programs regarding overlap agents and toxins. Activities carried out under such procedures by one of such programs on behalf of the other may be carried out with or without reimbursement by the agency that administers the other program.

(5) Date certain for implementation

The memorandum of understanding under paragraph (1) shall be implemented not later than 180 days after June 12, 2002. Until the single system of registration under paragraph (2) is implemented, persons who possess, use, or transfer overlap agents or toxins shall register under both the section 351A program and the section 212 program.

(d) Joint regulations

Not later than 18 months after the date on which the single system of registration under subsection (c)(2) of this section is implemented, the Secretary of Health and Human Services and the Secretary of Agriculture shall jointly issue regulations for the possession, use, and transfer of overlap agents and toxins that meet the re-

quirements of both the section 351A program and the section 212 program.

(Pub. L. 107-188, title II, § 221, June 12, 2002, 116 Stat. 657.)

CHAPTER 111—BROWN TREE SNAKE CONTROL AND ERADICATION

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§ 8501. Definitions

In this chapter:

(1) Brown tree snake

The term “brown tree snake” means the species of the snake *Boiga irregularis*.

(2) Compact of Free Association

The term “Compact of Free Association” means the Compacts of Free Association entered into between the United States and the governments of the Federated States of Micronesia and the Republic of the Marshall Islands, as approved by and contained in Public Law 108-188 (117 Stat. 2720; 48 U.S.C. 1921 et seq.), and the Compact of Free Association entered into between the United States and the government of the Republic of Palau, as approved by and contained in Public Law 99-658 (100 Stat. 3673; 48 U.S.C. 1931 et seq.).

(3) Freely Associated States

The term “Freely Associated States” means the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands.

(4) Introduction

The terms “introduce” and “introduction” refer to the expansion of the brown tree snake outside of the range where this species is endemic.

(5) Secretary

The term “Secretary concerned” means—

(A) the Secretary of the Interior, with respect to matters under the jurisdiction of the Department of the Interior; and

(B) the Secretary of Agriculture, with respect to matters under the jurisdiction of the Department of Agriculture.

(6) Secretaries

The term “Secretaries” means both the Secretary of the Interior and the Secretary of Agriculture.

(7) Technical Working Group

The term “Technical Working Group” means Brown Tree Snake Technical Working